UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA FOURTH DIVISION



UNITED STATES OF AMERICA,

Civil No. 4-80-469

Plaintiff,

and

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STATE OF MINNESOTA, by its Attorney General, Hubert H. Humphrey, III, its Department of Health, and its Pollution Control Agency,

Plaintiff-Intervenor,

vs.

REILLY TAR & CHEMICAL CORPORATION; HOUSING AND REDEVELOPMENT AUTHORITY OF ST. LOUIS PARK; OAK PARK VILLAGE ASSOCIATES; RUSTIC OAKS CONDOMINIUM, INC.; and PHILIP'S INVESTMENT CO.,

Defendants,

and

JOHN C. CRAUN

AFFIDAVIT OF

CITY OF ST. LOUIS PARK,

Plaintiff-Intervenor,

vs.

REILLY TAR & CHEMICAL CORPORATION,

Defendant,

and

CITY OF HOPKINS,

Plaintiff-Intervenor,

vs.

REILLY TAR & CHEMICAL CORPORATION,

Defendant.

John C. Craun, being first duly sworn, states as follows:

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- 1. I am a chemical engineer employed by Environmental Research & Technology, Inc. ("ERT"), Pittsburgh, Pennsylvania.

 I received my degree in Chemical Engineering/Engineering and Public Policy from Carnegie-Mellon University. I am a registered professional engineer in Pennsylvania.
- 2. ERT was hired by the law firm of Dorsey & Whitney to study the soil and ground water contamination problems in St. Louis Park, Minnesota. I am the project manager for this study. In May of 1983, ERT published a report entitled, "Recommended Plan for a Comprehensive Solution of the Polynuclear Aromatic Hydrocarbon Contamination Problem in the St. Louis Park area."
- 3. Preparation of the above-referenced ERT report included extensive monitoring, sampling, chemical assays, identification of ground water and soil constituents and ground water modeling of the St. Louis Park area.
- 4. ERT's investigation and research of polynuclear aromatic hydrocarbon (PAH) contamination in the St. Louis Park ground water has also revealed the presence of ground water contamination from other chemical constituents including benzene, chlorinated solvents such as trichloroethylene and 1,2-dichloroethylene, gasoline and oils, petroleum by-products, chloride, sulfate and other organic and inorganic materials.

- 5. It is my professional opinion that these contaminants are not attributable to the operation of a coal tar refinery by Reilly Tar & Chemical Corporation in St. Louis Park.
- 6. It is my opinion based upon studies done by ERT that the existence of PAH contamination at certain wells north and west of the coal tar refinery site in St. Louis Park may not be attributable to the operation of that facility. I reach this conclusion after careful consideration of data on ground water flow and quality, well locations and usage, types of industrial facilities in St. Louis Park and other relevant information. It is my opinion that "other sources" may have caused this contamination.
- 7. It is also my professional opinion that the degradation of shallow aquifers as valuable natural resources results from conditions inherent to the growth and expansion of a city like St. Louis Park.

FURTHER AFFIANT SAITH NOT.

STATE OF MINNESOTA)

SS

COUNTY OF HENNEPIN)

John C. Craun

Subscribed and sworn before me this 23rd day of March, 1984.

VICKI KAY WURET

NOTARY PUBLIC MINIMEDITA

HENNEPIN COUNTY

My Gommann Expires Supt 16- 1988